

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

JAMES HUDGINS,)	
)	Case No. 1:18-CV-211
<i>Plaintiff,</i>)	
)	Judge Travis R. McDonough
v.)	
)	Magistrate Judge Christopher H. Steger
ASTEC, INC.,)	
)	
<i>Defendant.</i>)	

ORDER

On September 13, 2018, Plaintiff James Hudgins filed this *pro se* action, as well as an application to proceed *in forma pauperis* (Docs. 1, 2). On December 10, 2018, Magistrate Judge Christopher H. Steger entered a report and recommendation, recommending the Court dismiss the complaint pursuant to 28 U.S.C. § 1915(e)(2) on grounds that the claim is frivolous and that it fails to state a claim upon which relief can be granted. (Doc. 7.) Plaintiff failed to timely object to the report and recommendation.

After reviewing the record and the applicable law, the Court agrees with the magistrate judge's findings of fact, conclusions of law, and recommendation. Therefore, the Court **ACCEPTS** and **ADOPTS** the report and recommendation (Doc. 7) pursuant to 28 U.S.C. § 636(b)(1), and **ORDERS** that the action be **DISMISSED**.

AN APPROPRIATE JUDGMENT WILL ENTER.

/s/ Travis R. McDonough

**TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE**